IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.2699 OF 2005

Bhamabai Narayan Kale .. Petitioner

versus

Smt Sarojini Vijaykumar Bagale & ors .. Respondents

Mr.Shrishail Sakhare for Petitioner

None for Respondents

CORAM : D.G.KARNIK, J

DATED : 27th January, 2006

P.C.

1. Heard learned counsel for the petitioner.

2. This Writ Petition is directed against the judgment and decree for eviction passed by the Ist Adhoc Additional District Judge, Solapur on 13th July, 2004 against the petitioner-tenant.

3. The trial Court as well as the lower appellate Court have concurrently found that the petitioner was a defaulter in payment of rent. The findings is concurrent and is not shown to be in any way perverse. No interference is called for in

exercise of the writ jurisdiction.

4. The petition is accordingly rejected. It is however, directed that the decree for eviction shall not be executed for a period of four months from today subject to the condition that the petitioner files an affidavit in the usual terms in this Court within a period of four weeks.

(D.G. KARNIK, J)